

**VIA ELECTRONIC AND FIRST-CLASS MAIL**

February 10, 2000

Ms. Mary Cottrell  
Secretary  
Massachusetts Department of  
Telecommunications and Energy  
One South Station  
Boston, Mass. 02110

Re: D.T.E 99-271  
AT&T's Emergency Motion to Stay OSS Testing

Dear Ms. Cottrell;

Pursuant to the Hearing Officer's memorandum of January 31, 2000 in the above captioned matter, Vits Networks, Inc (Vits) submits these comments in support of AT&T's emergency motion to Stay Bell Atlantic's Operational Support System (OSS) testing. Vits also submits additional comments relative to the testing of xDSL loop orders.

From a CLEC perspective, KPMG's proposal to "replace the eighteen month projection time horizon with a six month time horizon..."<sup>1</sup> defies logic given the massive number of OSS related problems encountered by CLECs in New York. Rather than tinker with the parameters of the Master Test Plan (MTP), KPMG should instead suspend all testing procedures until Bell Atlantic (BA) fixes the types of problems reported by MCI Worldcom (MCI) in its letter to the Department on this matter<sup>2</sup>. Allowing the current test to proceed without requiring BA to fix its OSS will simply increase the complexity and number of problems the Department and CLECs will encounter over the next several months.

Moreover, if BA is not required to fix its OSS now, KPMG's efforts to test the commercial readiness of BA's OSS will be futile. Regardless of the time horizon chosen, the test results of either option will be identical to each other because the source(s) of the OSS problem(s) associated with pre-ordering and ordering processes will remain in place. Such results, we believe, will indicate that BA is not now capable of processing orders, nor will it be capable of processing future orders in the commercial volumes necessary to satisfy the intent of Section 271 of the Federal Telecommunications Act of 1996. BA's inadequate order processing abilities will continue in perpetuity unless, and until, the underlying events causing the systemic problems are remedied.

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<sup>1</sup> KPMG Proposed Scope Change dated February 1, 2000 attached to electronic mail received from Hearing Officers Carpino and Chin dated February 3, 2000.

<sup>2</sup> MCI letter dated February 1, 2000

Because BA's current OSS processing abilities are inadequate, continuing the current tests without addressing the "real world" problems encountered by CLECs will lead to the Department having a false sense of security if it issues an endorsement of BA's interLATA application to the Federal Communication Commission. Vitts believes a recommendation that allows BA to enter the long distance market, which is based on tests that fail to address current OSS problems, will undoubtedly result in similar (and possibly worse) events occurring in Massachusetts as those now being reported in New York. As Massachusetts's orders will be added to consumer orders in New York, problems with BA's OSS can only increase exponentially. Vitts believes consumers deserve better service and should not be subjected to the types of inconveniences experienced in New York.

In our opinion, the level and extent of the OSS problems in New York reported by MCI is staggering. According to MCI, over 33,000 orders submitted to BA by MCI are "missing in action." Other CLECs report similar types of problems in Massachusetts. Clearly, the events in New York fail to support BA's contention that its markets are irreversibly competitive. The issue, from Vitts' perspective, is not whether BA's OSS can process anticipated levels of orders six or even eighteen months from now. The issue is instead whether or not BA's OSS can process the number of orders submitted by CLECs today and in the future. According to MCI's report, BA's OSS simply can not process orders currently being submitted. Because BA can not process today's orders, it makes no sense to test the processing capabilities of the OSS at levels anticipated in the near or distance future. Therefore, AT&T's emergency motion should be granted and KPMG should halt testing of the pre-ordering and ordering functions until the root cause of the current OSS related problems are discovered and fixed.

Vitts also requests for rigorous testing of xDSL and Inter-office facility (IOF) orders. As we, and other DSL providers, have previously stated, the level and quality of service from BA is inadequate when it comes to processing these types of orders. Due dates are missed. Demarcation points are misplaced or unmarked. Local loops delivered by BA are incompatible with xDSL service. At this point in time, Vitts is not confident KPMG is adequately testing the commercial readiness of BA's systems and personnel to process these orders. Many of the inconveniences and delays occur after such orders are electronically submitted to BA's TISOC. Yet, as far as Vitts is concerned, there is not an adequate measurement of BA's ability to process our orders from beginning to end. Of primary concern to Vitts, is the assurance that BA's wholesale division is processing CLEC orders in the same manner as they process BA retail xDSL and IOF orders.

As we know, KPMG did not test xDSL orders submitted in New York. The issue of xDSL orders came up late in that process. Nevertheless, xDSL services are extremely important services that consumers and communities are attempting to access throughout Massachusetts with varying degrees of success and failure. Because xDSL services have become such an important service for an ever-growing market segment, KPMG should re-double its efforts to fully analyze the entire range of BA's xDSL internal processes. While it is important for KPMG to assess the ability of BA to deliver qualified xDSL

loops to CLECs in a timely fashion, it is just as important for KPMG and the Department to assess BA's ability to provide accurate pre-ordering information on loop characteristics (i.e. distance, presence of load coils, bridge taps and other impedance factors).

This test of BA's OSS is important. The results of this test – if objectively administered – will provide some assurances to the Department that BA has the systems in place to process orders in a meaningful and commercial manner when it issues a recommendation about BA's interLATA application to the FCC. Positive test results provide CLECs (and their investors) some level of assurance that substantial capital investments in Massachusetts will not be undermined by unnecessary BA delays in order processing. Most importantly, positive test results are important to consumers. Consumers need assurances their purchase of CLEC services will be processed in a timely manner. Delays in order processing, especially for business customers, will lead to lost revenues and adversely affect the business climate. Thus, timely and transparent order processing is critical to consumers who choose services from providers other than BA. However, such assurances will not be forthcoming if BA's OSS is not capable of processing significant volumes of CLEC orders today and in the future.

For the foregoing reasons, KPMG's proposal to tinker with the MTP, rather than investigate the root causes of the OSS problems is undermining the public's confidence in the current test. As a way to reverse current perceptions, Vitts requests for the Department to order BA to first fix the problems reported by MCI and then continue the tests of BA's pre-ordering and ordering functions at a later time. In addition, Vitts requests the Department to begin rigorous testing of BA's ability to completely process xDSL and IOF orders.

Respectfully submitted;

Thomas Lyle  
Regulatory Affairs Manager

Cc: 99-271 Service List